REMARKS

The application has not been amended as the claims are believed to be patentable as currently standing. Claims 1-19 are currently pending. Reconsideration is respectfully requested.

SPECIFICATION

The Examiner has requested that Applicants amend the specification at page 7, line 31 so that "figure 5" becomes - - figure 6 - -. Applicants however, believe the specification to be correct as currently standing. Applicants however, invite the Examiner to indicate the reasons for the necessity of the proposed amendments as such reasons are unclear to Applicants.

The Examiner has further objected to the claim language found in claim 18, lines 3-4, "a perimetrical side wall extending from said back wall" as it is allegedly not supported in the Specification.

Applicants respectfully disagree. Support for the claim language is clearly found in Figures 1 and 2, as well as in paragraph [0010] on page 3 of the specification. Withdrawal of the objections is respectfully requested.

REJECTIONS UNDER 35 U.S.C. §112

The Examiner has rejected claims 1-17, and 19 under 35 U.S.C. §112 second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter

which Applicant regards as the invention. More particularly, the Examiner objects to the phrase "a second mounting axis" in claim 1, line 7. The Examiner further objects to the phrase, "a third mounting axis" in claim 11, line 9, and "a second axis" in claim 19, line 10 for the same reasons. The Examiner asserts that the respective phrases are not clear because it is not clear what the mounting axis are mounting.

The objections are respectfully traversed. Applicants point to the specification, specifically paragraph [0026] on page 7 to clarify the meaning "first and second mounting axis" of the present invention. With further reference to Figures 1 and 5 of the drawings, the axes are indicated at x_1 and x_2 in the schematic diagram shown in Figure 5. The schematic diagram of Figure 5 roughly corresponds to the outlet box assembly 10 shown in Figure 1. The first and second mounting axis x_1 and x_2, are shown by 30 and 48 respectively in Figures 1 and 5. The first mounting axis x_1 therefore corresponds to an axis connecting mounting elements 30, each having a central screw threaded aperture 32 therethrough. The mounting elements 30 permit the attachment of electrical fixtures within the interior 22 of the box 12 in conventional fashion. (See paragraph [0021] on page 5 of the specification.) Similarly, the connection of mounting elements 48 provide an axis, or second mounting axis which permits accommodation of communications terminations within rectangular frame 40. (See paragraph [0022] on pages 5-6 of the specification.)

The mounting axes therefore are for mounting electrical fixtures within the housing. Withdrawal of the objection and reconsideration are respectfully requested.

REJECTIONS UNDER 35 U.S.C. §103

The Examiner has rejected claims 1-7 and 11-19 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,147,304 to Doherty. More specifically, the Examiner states:

> [Doherty discloses] Regarding claim 1, a single gang electrical outlet box assembly (see fig 1) for accommodating a signal electrical fixture and for supporting a communication fixture (see fig 1), said assembly comprising: a generally rectangular electrical box 10 (see fig 1) having a first side wall 18 spaced apart from a second side wall 17 (see fig 1), said first and second side walls defining a first mounting axis therebetween generally parallel to said side walls for mounting said electrical fixture (see fig 1); and a supporting structure 40 (see figs 1-2) extending from said first side wall (see fig 2) for accommodating a communication fixture, but fails to disclose a second mounting axis generally parallel to said first side wall; said first and second mounting axes being substantially equidistant from a centerline of said first side wall, with said first mounting axis being closer to said first side wall than said second wall. Please note that Doherty (6,147,304) teaches the use of a mounting axis (axis for tab 24, see fig 1) in order to mount power outlet 80 (see column 8 lines 16-31). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the supporting structure 40 of the assembly of Doherty with mounting axis in order to mount additional power outlet. Please note that the modified assembly of Doherty meet the structural limitations for a second mounting axis generally parallel to said first side wall; and said first and second mounting axes being substantially equidistant from a centerline of said first side wall (see fig 2). With respect to said first mounting axis being closer to said first side wall than said second side wall, it would have been an obvious matter of design choice to use said first mounting axis being closer to said first side wall than said second side wall, since applicant has not disclosed said first mounting axis being closer to said first side wall than said second side wall solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with if designed with said first side wall and said second side wall of Doherty.

The rejection is respectfully traversed.

U.S. Patent No. 6,147,304 to Doherty (hereinafter "Doherty") discloses an electrical outlet box consisting of two smaller boxes, for receiving both high voltage electrical conductors and a low voltage electrical conductors, respectively. The boxes for receiving the high voltage electrical conductors and the low voltage electrical conductors however are juxtaposed in **spaced** relationship (emphasis added). The two boxes are therefore spaced apart and connected by a bridge portion disposed between the first section of the housing and the second section of the housing to define a space therebetween. See claim 1, and column 3, lines 45-60 of the specification, as well as Figures 1, 2, and 3 of the specification.

This is in direct contradistinction to the electrical outlet box of the present invention which claims that a generally rectangular electrical box and a supporting structure for accommodating a communication fixture share a common first sidewall. The mounting access for each of the electrical box and supporting structure are equidistant from the common sidewall as recited in claim 1.

The electrical outlet box of Doherty requires a bridged and/or spaced relationship between two separate box structures. The Examiner indicates that Doherty "fails to disclose a second mounting axis generally parallel to said first sidewall, said first and second mounting axes being substantially equidistant from a center line of said first sidewall, with said first mounting axes being closer to said first sidewall than said second sidewall."

The Examiner has not given proper weight to the spatial relation of the presently claimed invention. As indicated at paragraph 7 of the specification, it is desirable to provide electrical outlet box which provides increased capacity and meets applicable code requirements and which is further capable of accommodating dual voltage terminations. The present invention was designed with the need for standard uniform components with precise measurement requirements in mind. It is the precise measurement proportions which are claimed, i.e., mounting axes 1 and 2 being equidistant from a common wall (the first sidewall), with axis 1 being closer to the common wall than the second sidewall (in order to provide additional space and still meet code requirements) which Applicant has invented in the present application. The outlet box of Doherty does not possess a common sidewall, and it therefore cannot be an obvious alteration to have a first and second mounting axis equidistant therefrom.

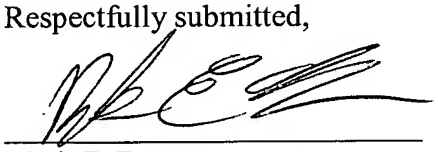
Further, because Doherty requires a bridge portion and a spaced relationship between the boxes, Doherty explicitly teaches away from the presently claimed invention. It is not an obvious matter for design choice but, rather the specific need which the Applicant has filled which has been identified by the Examiner. The rejection is therefore respectfully traversed. Withdrawal and reconsideration is respectfully requested.

The Examiner has further rejected claim 10 under 35 U.S.C. §103(a) as being unpatentable over Doherty in view of U.S. Patent No. 5,568,362 to Hanson (hereinafter "Hanson").

Applicant has already addressed the relevance of Doherty. The rejection of claim 10 in further view of Hanson, fails for the same underlying reasons as the rejection of claims 1-7 and 11-19 fail. Withdrawal and reconsideration are respectfully requested.

Should the Examiner have any questions with respect to this application, please contact the undersigned counsel.

Respectfully submitted,



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